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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,954	10/29/2003	Neil Millani	2002-019	8494

54472 7590 01/12/2007  
COATS & BENNETT/SONY ERICSSON  
1400 CRESCENT GREEN  
SUITE 300  
CARY, NC 27511

EXAMINER
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DABNEY, PHYLESHA LARVINIA

ART UNIT	PAPER NUMBER
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2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/12/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/696,954

Applicant(s)

MLLANI, NEIL

Examiner

Phylesha L. Dabney

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/29/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6 and 8-23 is/are rejected.
- 7) ☒ Claim(s) 4, 5 and 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/8/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This action is in response to the application filed 29 October 2003 in which claims 1-23 are pending.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 15-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to these claims, it is not understood what element represents the first/second/third accessories. For purpose of further prosecution, it is believed that these terms are being used interchangeably with the first/second/third peripheral.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 1-3, 6, 8, 10, 14-18, 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Hsin (U.S. Patent No. 6,626,703).

Regarding claim 1, Hsin teaches an accessory for a wireless communications device comprising: a first peripheral device (50, portable device); a system plug (25) that mates with a system connector on the wireless communications device (60); a cord (15) electrically connecting the first peripheral device with the system plug; and an auxiliary system connector (20 as related to 22; 10) integrally formed with the cord to connect a second peripheral device (22-23; 70).

Regarding claim 2, Hsin teaches the accessory of claim 1, wherein the auxiliary system connector is disposed along the cord between the first peripheral device (50) and the system plug (25).

Regarding claim 3, Hsin teaches the accessory of claim 1, wherein the auxiliary system connector includes a switch (26-27) to selectively connect the first (50) and second peripheral devices (22-23).

Regarding claim 6, Hsin teaches the accessory of claim 3, wherein the switch (26-27) connects the first peripheral device (50) to the wireless communications device via a first path in a first position, and to the second peripheral device (22-23) via a second path in a second position.

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Regarding claim 8, Hsin teaches the accessory of claim 1, wherein the auxiliary system connector further connects a third peripheral device (70).

Regarding claim 10, Hsin teaches the accessory of claim 1, wherein one of the first and second peripheral devices is a battery charger (col. 2 lines 49-67).

Regarding claim 14, Hsin teaches the accessory of claim 1, further comprising a second auxiliary system connector (16) integrally formed with the cord (15).

Regarding claims 15-18, they disclose the method corresponding to the apparatus claims 1-3, 6, 8, and 14. The method is inherent in that it simply provides a logical implementation of the structure found in these claims.

Regarding claim 22, Hsin teaches the method of claim 15, further comprising automatically detecting the type of peripheral device (70, charging mode) connected to the auxiliary system plug (col. 2 line 49 through col. 3 line 25).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 9-13, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsin.

Regarding claim 9-13, Hsin does not specifically teach the accessory of claim 1, wherein one of the first and second peripheral devices is a hands-free headset, MP3 player, camera, or flash accessory. However, the Examiner takes official notice that it is known to connect various electronic apparatuses to each other via system connectors for convenience, portability, and etc. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to attach any electronic apparatus, including an MP3 player, to the wireless device of Hsin for the reasons stated.

Regarding claim 23, Hsin does not specifically teach the method of claim 22, further comprising controlling signals communicated between the wireless communications device and the first or second peripheral devices responsive to the detected peripheral device type.

However, Hsin does teach the light source being used as a lighting, displaying, or alarming element. And, it is known to use a light source to display alarming/alerting information at least during charging or transfer of data between devices. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the light source of Hsin for the reasons stated above.

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***Allowable Subject Matter***

Claims 4-5, and 7 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phylesha L. Dabney whose telephone number is 571-272-7494. The examiner can normally be reached on Mondays, Tuesdays, Wednesdays, Fridays 8:30-4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

**Any response to this action should be mailed to:**  
Commissioner of Patents and Trademarks  
P O Box 1450  
Alexandria, VA 22313-1450

**Or faxed to:**  
(703) 273-8300, for formal communications intended for entry and for informal or draft communications, please label "Proposed" or "Draft" when submitting an informal amendment.


**Hand-delivered responses should be brought to:**  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 2, 2007

PLD

  
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